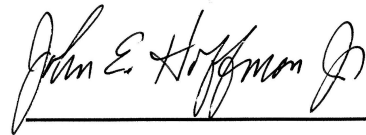


**This document has been electronically entered in the records of the United States Bankruptcy Court for the Southern District of Ohio.**

**IT IS SO ORDERED.**

**Dated: November 14, 2022**



**John E. Hoffman, Jr.**  
**United States Bankruptcy Judge**

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

In re:	:	Case No. 19-52861
	:	
Jose R. Villavicencio,	:	Chapter 7
	:	
Debtor.	:	Judge Hoffman

**AGREED ORDER ON MOTION OF CHAPTER 7 TRUSTEE FOR  
RELIEF FROM JUDGMENT (Doc. 116)**

This matter is before the Court on the *Motion of Chapter 7 Trustee for Relief from Judgment* (Doc. 116) (the “Motion”) filed on September 14, 2022, by Myron N. Terlecky, Chapter 7 Trustee (the “Trustee”) for the bankruptcy estate of Jose R. Villavicencio (the “Debtor”). Through the Motion, the Trustee seeks to vacate this Court’s *Order Granting Motion of Chapter 7 Trustee for an Order Authorizing and Approving the Compromise of Claims* (Doc. 114) (the “Compromise Order”) for the reason that the settlement payment set forth in the Compromise Order was not paid by Andrew J. Thomas (“Mr. Thomas”). No objection or response to the Motion has been filed.

It now appears that Mr. Thomas has obtained financing to make the settlement payment; however, Mr. Thomas's lender, Kemba Financial Credit Union ("Kemba"), seeks some assurance that the Compromise Order will not be vacated if it completes the loan to Mr. Thomas.

Therefore, upon a review of the Motion and upon the agreement of the parties, the Court finds as follows:

1. Within 14 days of the date of entry of this Agreed Order, Kemba or Mr. Thomas shall remit to the Trustee the settlement payment in the amount of \$80,000.00 in certified funds.
2. If the settlement payment is received by the Trustee within this time period, the Trustee shall withdraw the Motion within seven days of receipt.
3. If the settlement payment is not received by the Trustee within this time period, the Trustee may submit to this Court an order granting the Motion.

IT IS SO ORDERED.

Agreed to:

/s/ John W. Kennedy  
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John W. Kennedy (0042672)  
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Default List plus additional party:

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